

(Separate proof of service is required for each party served.)

- Form Adopted for Mandatory Use  
Judicial Council of California  
POS-010 (Rev. January 1, 2007)

Page 1 of 2  
Code of Civil Procedure, § 417.10

PLAINTIFF/PETITIONER: James Rutherford, an individual	CASE NUMBER
DEFENDANT/RESPONDENT: Cervantes Mexican Fiesta Food a business of unknown form et al	5:18 cv 01357 - RGK-FFM

5. c. ☐ by mail and acknowledgment of receipt of service. I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid.
- (1) on (date): (2) from (city).
- (3) ☐ with two copies of the Notice and Acknowledgment of Receipt and a postage-paid return envelope addressed to me. (Attach completed Notice and Acknowledgment of Receipt) (Code Civ. Proc., § 415.30.)
- (4) ☐ to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40.)
- d. ☐ by other means (specify means of service and authorizing code section):

☐ Additional page describing service is attached.

6. The "Notice to the Person Served" (on the summons) was completed as follows:

- a. ☐ as an individual defendant.
- b. ☐ as the person sued under the fictitious name of (specify):
- c. ☐ as occupant.
- d. ☒ On behalf of (specify) Talat Radwan and Jason Radwan Co-Trustees of the Malki Living Trust dated January 1998 and restated December 15 2000 under the following Code of Civil Procedure section:
- |   |   |
|---|---|
| <input type="checkbox"/> 416.10 (corporation)                     | <input type="checkbox"/> 415.95 (business organization, form unknown) |
| <input type="checkbox"/> 416.20 (defunct corporation)             | <input type="checkbox"/> 416.60 (minor)                               |
| <input type="checkbox"/> 416.30 (joint stock company/association) | <input type="checkbox"/> 416.70 (ward or conservatee)                 |
| <input type="checkbox"/> 416.40 (association or partnership)      | <input type="checkbox"/> 416.90 (authorized person)                   |
| <input type="checkbox"/> 416.50 (public entity)                   | <input checked="" type="checkbox"/> 415.46 (occupant)                 |
|   | <input type="checkbox"/> other:                                       |

7. Person who served papers

- a. Name: Adriana M Achucarro
- b. Address: 2390 E Orangewood Ave #530, Anaheim, CA 92806
- c. Telephone number: 949-305-9108
- d. The fee for service was: \$ 59
- e. I am:

- (1) ☐ not a registered California process server.
- (2) ☐ exempt from registration under Business and Professions Code section 22350(b).
- (3) ☒ a registered California process server:
- (i) ☐ owner ☐ employee ☒ independent contractor.
- (ii) Registration No.: 2898
- (iii) County: Orange

8. ☒ I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

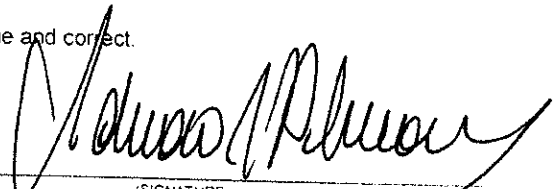
or

9. ☐ I am a California sheriff or marshal and I certify that the foregoing is true and correct.

Date: 7/12/2018

Adriana M Achucarro

(NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)

  
(SIGNATURE)

UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA

EASTERN DIVISION

JAMES RUTHERFORD, an individual et al

PLAINTIFF(S)

vs

CASE NUMBER

5:18 CV 01357

Cervantes Mexican Fiesta Food a business of DECLARATION OF DUE DILIGENCE  
unknown form et al

DEFENDANT(S)

I served Summons, Complaint, Civil Case Cover Sheet Notice of Assignment, Certification and Notice of Interested Parties, Notice to Parties of Court Directed ADR Program, Notice of Inspection Standing Order

SUBSTITUTE SERVICE PURSUANT TO C.C.P. 415.20 (a) (b) Talat Radwan and Jason Radwan Co Trustees of the Malki Living Trust Dated January 7 1998 and restated December 15 2000

By leaving with a person at least 18 years of age: John Doe (Approx 65 yrs old 5 8' 170 lbs gray hair who asked me to drop it at drop box because he said they never open office. They just pick up mail.

Date: 7/6/2018

Time: 9:25 AM

Address and City where served 26371 Avery Pkwy #B Mission Viejo CA 92640

On 7/7/2018 mailed a copy from Anaheim CA to the above address by first class mail postage fully prepaid. The substitute service was made only after making the following attempts to serve the defendant(s) personally.

CERTIFICATE OF REASONABLE DILIGENCE

ON THE FOLLOWING DATE AND TIMES, I FIRST ATTEMPTED TO MAKE A PERSONAL SERVICE BUT WAS UNABLE FOR THE REASONS AS SHOWS:

6

6/29/2018 10:40AM Defendants were not at business

7/3/2018 4:25 PM Defendants were not at business

7/6/2018 9:25 AM Documents left with John Doe (Approx 65 yrs old 5 8' 170 lbs gray hair who asked me to drop it at drop box because he said they never open office. They just pick up mail.

Executed on 7/12/2018 at ANAHEIM, CA

SIGNATURE

Adriana M Achucarro/ R.T.O.T. Inc.  
PSC# 2898 / Orange COUNTY  
2390 E ORANGEWOOD AVE #530. ANAHEIM, CA 92806  
(949) 305-9108